

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION

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UNITED STATES OF AMERICA,

1:11-CR-144

Plaintiff,

MOTION IN LIMINE

vs.

CHRISTOPHER THOMAS CONDON,

Defendant.

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COMES NOW the Defendant, Christopher Condon, by and through his attorney, Assistant Federal Public Defender Heather Mitchell, and moves the Court in Limine for its Order prohibiting the government from introducing into evidence or questioning any witness, including defendant, were he to testify, concerning the following evidence:

1. An audio recording, taken June 25, 2012, of a conversation between the Defendant and his mother discussing whether he should plead guilty.

A Memorandum in support of this Motion is filed herewith.

Dated this 10<sup>th</sup> day of October, 2012.

Respectfully submitted,

NEIL FULTON  
Federal Public Defender  
By:

/s/ Heather M. Mitchell

Heather M. Mitchell  
Assistant Federal Public Defender  
Attorney for Defendant  
Office of the Federal Public Defender  
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CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2012, the following document(s):

**Motion in Limine**

were filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to the following:

Gary Delorme  
[gary.delorme@usdoj.gov](mailto:gary.delorme@usdoj.gov)

I further certify that copy of the foregoing documents and the Notice of Electronic Filing will be mailed first class mail, postage paid, to the following non-ECF participants:

/s/ Heather M. Mitchell

Heather M. Mitchell,  
Assistant Federal Public Defender